



Department of Justice  
Canada

Ministère de la Justice  
Canada

s.21(1)(a)

s.21(1)(b)

s.23

CCM#: 2016-015030

Secret

For Information

## MEMORANDUM TO THE DEPUTY MINISTER

### Bilateral Meeting on Intelligence to Evidence with the National Security Advisor



**Pages 2 to / à 3**  
**are withheld pursuant to sections**  
**sont retenues en vertu des articles**

**21(1)(a), 21(1)(b), 23, 69(1)(g) re (a), 69(1)(g) re (c)**

**of the Access to Information Act**  
**de la Loi sur l'accès à l'information**

s.21(1)(a)

s.21(1)(b)

s.23

- 4 -

Secret



**Attachments:**

Annex A – National Security Green Paper Questions on Intelligence and Evidence



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Date: July 26, 2016

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Date: July 26, 2016

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**Annex A**

**National Security Green Paper Questions on Intelligence to Evidence**

1. Does the current section 38 of the *Canada Evidence Act* regime properly balance fairness with security in legal proceedings?
2. Are there areas where improvements can be made to the existing regime?
3. Is there a role for security cleared lawyers in legal proceedings where national security information is involved to protect the interests of affected persons in closed proceedings?
4. Are there any non-legislative measures which could improve both the use and protection of national security information in criminal, civil and administrative proceedings?
5. How could mechanisms to protect national security information be improved to provide for the protection, as well as the reliance on, national security information in all types of legal proceedings? In this context, how can the Government ensure an appropriate balance between protecting national security and the principles of fundamental justice?

**Pages 6 to / à 36**  
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**21(1)(a), 21(1)(b), 23, 69(1)(g) re (a)**

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